

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
Division of Housing Policy Development

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December 27, 2004

Mr. Jay Hull
Chief Administrative Officer
Mendocino County
501 Low Gap Road
Ukiah, CA 95482

Dear Mr. Hull:

RE: Review of Mendocino County's Adopted Housing Element

Thank you for submitting Mendocino County's housing element adopted December 14, 2004 and received for review on December 17, 2004. The Department is required to review housing elements and report the findings to the locality pursuant to Government Code Section 65585(h). In addition, the Department considered third party comments from the Law Offices of David Grabill and Legal Services of Northern California pursuant to Government Code Section 65585(c). The Department's review was assisted by conversations with Mr. Ray Hall, Director of Planning and Building Services, and Ms. Pamela Townsend, Senior Planner, since June 2004 and draft revisions received October 22, December 10, and December 15, 2004, respectively. The Department is expediting this review to facilitate your funding applications.

The adopted element addresses the statutory requirements described in the Department's May 27, 2004 review. The Department is therefore pleased to find Mendocino County's adopted housing element in compliance with State housing element law (Article 10.6 of the Government Code). The adopted housing element now includes a more detailed analysis of commercial and underdeveloped sites and demonstrates adequate sites to accommodate the County's share of the regional housing need. The Department's finding of compliance is conditioned on the County's successful implementation of Action 4.2 to rezone at least 50 acres allowing 29 units per acre, by-right, where water and sewer capacity will be available by July 1, 2007. The County should also be diligent in its efforts to facilitate the development of housing for farmworkers, including the needs survey in Action 2.7.

The County must use its annual general plan progress report (Government Code Section 65400) to monitor the implementation of this and other housing programs. The reports are due to the Department by October 1 of each year. If the annual report reveals Action 4.2 has not been implemented, the element will no longer identify adequate sites and will require immediate amendment to provide adequate sites. Failure to submit annual reports will trigger a review by the Department of the element's compliance.

The Department commends the County's commitment to amend the zoning code to ensure multifamily development on multifamily zoned sites, allow-by-right multifamily development on commercially zoned sites and to assist in the development of housing for permanent and seasonal farmworkers. Effective implementation of these and other strategies will ensure the County can meet critical housing needs, strengthen the local economy and preserve important natural resources.

For your information, recently enacted legislation (Chapter 706, Statutes of 2002 and Chapter 10, Statutes of 2004; Government Code Section 65863) requires the County of Mendocino to ensure its inventory of adequate sites can accommodate its share of the regional housing need throughout the planning period. Further, Government Code Section 65863(b) prohibits local governments from lowering a residential density used in determining adequate sites under its housing element unless the locality makes certain findings.

The Department also appreciates Mr. Hall and Ms. Townsend's diligence and cooperation throughout the review process. If we can be of assistance in implementing the element, please contact Paul McDougall, of our staff, at (916) 322-7995.

In accordance with requests pursuant to the Public Records Act, we are forwarding copies of this letter to the persons and organizations listed below.

Sincerely,



Cathy E. Creswell
Deputy Director

cc: Ray Hall, Director of Planning and Building Services, Mendocino County
Pamela Townsend, Senior Planner, Mendocino County
David Grabill, Law Offices of David Grabill
Lisa Hillegas, Legal Services of Northern California
Craig Castellanet, Public Interest Law Project
Mark Stivers, Senate Committee on Transportation & Housing
Suzanne Ambrose, Supervising Deputy Attorney General, AG's Office
Terry Roberts, Governor's Office of Planning and Research
Nick Cammarota, California Building Industry Association
Marcia Salkin, California Association of Realtors
Marc Brown, California Rural Legal Assistance Foundation
Rob Weiner, California Coalition for Rural Housing
John Douglas, AICP, Civic Solutions
Deanna Kitamura, Western Center on Law and Poverty
S. Lynn Martinez, Western Center on Law and Poverty
Alexander Abbe, Law Firm of Richards, Watson & Gershon

Michael G. Colantuono, Colantuono, Levin & Rozell, APC
Ilene J. Jacobs, California Rural Legal Assistance, Inc.
Richard Marcantonio, Public Advocates
Mike Rawson, Legal Services of Northern California
Mona Tawatao, Legal Services of Northern California